

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 2010

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. 2010 -

**RESOLUTION TO AMEND THE SAN LUIS OBISPO COUNTY LAND USE ORDINANCE,
THE COASTAL ZONE LAND USE ORDINANCE, THE LAND USE ELEMENT
AND LOCAL COASTAL PLAN AND THE COASTAL PLAN POLICIES OF THE
GENERAL PLAN AND TO ADOPT THE ENVIRONMENTAL DOCUMENT**

The following resolution is now hereby offered and read:

WHEREAS, state law requires that a general plan be adopted; and

WHEREAS, the Land Use Element of the San Luis Obispo County General Plan was adopted by the Board of Supervisors on September 22, 1980, and is a proper element of the General Plan; and

WHEREAS, on March 1, 1988, the San Luis Obispo County Board of Supervisors adopted the Local Coastal Program as amendments and additions to the Land Use Element of the San Luis Obispo County General Plan, specifically incorporating the Land Use Plan of the Local Coastal Program into the Land Use Element of the General Plan hereinafter referred to as the "Land Use Element and Local Coastal Plan", and to the San Luis Obispo County Code Titles 19, 21, and 23; and

WHEREAS, state law, public necessity, convenience and general welfare requires that general and specific plans be amended from time to time; and

WHEREAS, the Planning Commission of the County of San Luis Obispo after noticed public hearings did recommend amendments to the General Plan, the Local Coastal Plan, and the Land Use and Coastal Zone Land Use Ordinances, adopted resolutions or otherwise took action recommending said amendments.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, in a regular meeting assembled on the _____ day of _____, 2010, that the County General Plan, the Local Coastal Plan and the Land Use and Coastal Zone Land Use Ordinances (Titles 22 and 23 of the County Code) be amended as follows:

1. Amend the San Luis Obispo County General Plan, Local Coastal Plan Policies and North Coast Area Plan, as appears on Exhibit LRP2008-00007:C which is attached hereto and incorporated herein as though fully set forth; and pursuant to Public Resources Code, section 30514, authorize the amendment submittal to the California Coastal Commission for consideration and certification.

2. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance amending Title 22 of the San Luis Obispo County Code, the Land Use Ordinance, by adding Section 22.10.155; amending Section 22.10.150, Section 22.14.060, Section 22.80.030, and Section 22.94.020; and repealing and replacing Chapter 22.52 (Sections 22.52.010 through 22.52.210)" as set forth in Exhibit LRP2008-00007:D which is attached hereto and incorporated herein as though fully set forth. [This document does not apply to the Coastal Zone and was not certified as part of the Local Coastal Program. Therefore this amendment does not need to be submitted to the California Coastal Commission.]

3. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance amending Title 23 of the San Luis Obispo County Code, the Coastal Zone Land Use Ordinance, by adding Section 23.04.450; amending Section 23.02.030, Section 23.02.033, and Section 23.11.030; and repealing and replacing Sections 23.05.020 through 23.05.058" as set forth in Exhibit LRP2008-00007:E which is attached hereto and incorporated herein as though fully set forth and pursuant to Public Resources Code, section 30514, authorize the amendment submittal to the California Coastal Commission for consideration and certification.

4. Adopt, enact and instruct the Chairman of the Board of Supervisors to sign "An Ordinance amending specific sections of the San Luis Obispo County Coastal Zone Land Use Ordinance, Title 23 of the County Code" as set forth in Exhibit LRP2008-00007:F, which is attached hereto and incorporated herein

as though fully set forth, and pursuant to Public Resources Code, section 30514, authorize the amendment submittal to the California Coastal Commission for consideration and certification.

BE IT FURTHER RESOLVED AND ORDERED that the environmental documents for the above enacted amendments be approved as follows:

1. Regarding the Final Environmental Impact Report (FEIR) issued for amendments contained in Exhibits C through E, the Board of Supervisors hereby certifies that the FEIR has been prepared and completed in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. and the Board of Supervisors reviewed and considered the information contained in the FEIR prior to approving the amendments and that the FEIR reflects the lead agency's independent judgement and analysis. Further, the Board of Supervisors hereby adopts the recommended findings of the County Environmental Coordinator contained in Exhibit G which are attached hereto and incorporated herein as though fully set forth.

BE IT FURTHER RESOLVED AND ORDERED that this resolution with respect to Exhibits LRP2008-00007:C and LRP2008-00007:E shall become operative automatically, pursuant to 14 California Code of Regulations §13551(b)(1), upon the certification without any modifications or amendments to said amendments by the California Coastal Commission and upon acknowledgment by the San Luis Obispo County Board of Supervisors of receipt of the Commission's resolution of certification pursuant to 14 California Code of Regulations §13544. In the event that the California Coastal Commission recommends modifications to said amendments, the amendments with modification shall be processed in accordance with Government Code § 65350 et seq., before final local government adoption of the amendments with the modifications suggested by Coastal Commission pursuant to 14 California Code of Regulations §13551(b)(2), or before the Board of Supervisors resubmits, pursuant to Public Resources Code Section 30512 and 30513, any additional amendments to satisfy the Commission's recommended changes.

BE IT FURTHER RESOLVED AND ORDERED that in accordance with Government Code Section 25131, after reading of the title of the ordinances, further reading of the ordinances in full is waived.

BE IT FURTHER RESOLVED AND ORDERED that this resolution shall be effective on the same date as Ordinances _____, said date being _____, 2010.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES: Supervisors

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted.

Chairman of the Board of Supervisors
of the County of San Luis Obispo,
State of California

ATTEST

County Clerk and Ex-Officio Clerk
of the Board of Supervisors,
County of San Luis Obispo,
State of California

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: _____
Deputy County Counsel

Dated: _____